

REMARKS

The present amendment is being submitted in response to the Office Action dated March 4, 2004, together with a Petition for Revival of an Unintentionally Abandoned Application under 37 C.F.R. §1.137(b), as well as a Declaration of Kerry B. Hillier, Manager, Intellectual Property, for Ballard Power Systems, the current assignee of this application, regarding the circumstances surround the unintentional abandonment. Accordingly, Applicants respectfully request that his application be further examined, based on the amendments set forth hereinabove and the remarks set forth hereinafter.

Applicants acknowledge the indication of the allowability of the subject matter of Claims 15-24, as set forth at paragraphs 7 and 8 of the Office Action. In particular, the latter claims would be allowable if rewritten in independent form. By the foregoing amendment, Claims 13, 15, and 23 have been cancelled, Claims 16 and 24 have been rewritten in independent form, and Claim 25 has been amended to depend from Claim 16. In this regard, Applicants note that Claim 16 incorporates the limitations of Claim 13, plus Claims 15 and 16 in the form of a Markush group; similarly, Claim 24 incorporates the limitations of Claims 13, 23 and 24 in a Markush group. Thus, all of the rejected claims have been cancelled, or amended to depend from a claim previously indicated to

contain allowable subject matter. Accordingly, Applicants respectfully submit that all claims of record in this application are now allowable.

The drawings have been objected to in paragraph 1 of the Office Action, based on certain formal issues cited by the Examiner. In response to these grounds of objection, the specification and drawings have been revised in a manner which addresses and is believed to resolve each of the cited formal issues. In particular, with regard to Figure 1, the Brief Description of the Drawings has been amended to state that Figure 1 shows the basic construction within a single stage of the plate apparatus according to the invention; and in addition, the specification has further been amended in a consistent manner at page 6, line 10. In addition, Applicants note that the amended sheets of drawings attached to the International Preliminary Examination Report include new Figures 2, 4 and 6, which incorporated the reference numerals 11a, 11b, 11c, 12a, 12b and 12c. In addition, in the enclosed annotated drawing correction, further such reference numerals have been added for the sake of clarity. Accordingly, reconsideration and withdrawal of this ground of objection are respectfully requested.

The specification has been objected to based on certain formal issues cited by the Examiner in paragraph 2 of the Office Action. In response to these grounds of objection, Applicants have provided a substitute specification with amendments which are believed to resolve each of the cited formal issues.

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Accordingly, reconsideration and withdrawal of this ground of objection are also respectfully requested.

In light of the foregoing remarks, this application should be in condition for allowance, and early passage of this case to issue is respectfully requested. If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #225/48888).

Respectfully submitted,



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Attachment – Annotated Drawing Changes – Figures 1, 2, 4, 5, 6, 7 and 8

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Amendments to the Drawings:

The attached sheets of drawings include the following changes to the figures: German-language captions in Figures 1, 2, 4, 6, 7 and 8 have been changed to English-language captions. In addition, reference numerals 12a and 12b have been added to Figure 4; additional reference numerals 13 and 14 have been added to Figure 5; reference numerals 11a, 12a, 12b and 12c have been added to Figure 6; reference numeral 12 has been added to Figure 7; an additional reference numeral 25 has been added in Figure 8, and also in Figure 8 the reference numeral 11b has been corrected to 12b.

Attachment: Annotated Sheet Showing Changes